

EXHIBIT H

From: "Schwartz, Jason C." <JSchwartz@gibsondunn.com>
Date: October 4, 2020 at 10:31:25 PM EDT
To: "Renigar, Gwendolyn" <grenigar@steptoe.com>
Subject: Broidy

Gwen:

Hope you had a nice weekend. Thanks again for speaking with me on Wednesday. I am writing to follow up on the matters you raised during our call, now that Gibson Dunn's Office of General Counsel has had the opportunity to speak further with Ms. Ahmad about them. Nothing herein is a waiver of privilege or work product, of course.

You explained during our call that your colleagues representing Mr. Broidy in the litigation against GRA had seen a document that they believed raised questions as to whether Ms. Ahmad had investigated or obtained "confidential government information" about Mr. Broidy during her time working as a lawyer in the Special Counsel's office. I understand from the correspondence between Mr. Agusti and my partner Orin Snyder that the document in question is an FBI memo (known as a "302") of an interview of Rick Gates that took place on March 18, 2018, a redacted copy of which was released by the government earlier this year pursuant to FOIA. A copy of that memo, which bears the Bates stamp range FBI(19cv1278)-2456 --

FBI(19cv1278)-2460, is attached for your reference. As you will see, Ms. Ahmad is not identified as having participated in or having been present for the portions of the interview summarized in this memo, including the portion during which Mr. Gates was questioned about the 1MDB matter. And apart from what is reflected in this memo, we have also confirmed with Ms. Ahmad that she did not participate or attend the portions of the interview summarized in the memo.

This memo reflects instead (at page 4) that Ms. Ahmad and another FBI agent “joined the interview” around 1:30 pm, at which point this other agent began taking the notes of the interview; that Ms. Ahmad and this other agent left the interview approximately an hour-and-a-half later; and that this portion of the interview would “be documented in a separate 302.” A copy of what appears to be the publicly-released version of this “separate 302,” which bears the Bates stamp FBI(19cv1278)-2470, is also attached for your reference. Although the substance of the memo is redacted, we have confirmed with Ms. Ahmad that the hour-and-a-half portion of the March 18, 2018 interview of Rick Gates that she participated in did not relate to Mr. Broidy or the 1MDB matter.

Putting aside the interview addressed above, I can also confirm that Ms. Ahmad did not investigate Mr. Broidy, or acquire any confidential government information regarding Mr. Broidy, during her tenure in the Special Counsel’s office or any other part of the Department of Justice.

I trust that the foregoing resolves any remaining concerns about Ms. Ahmad’s representation of GRA in the civil litigation, but I would be happy to speak again if you would like.

Best,

Jason

Jason C. Schwartz

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4 attachments



FBI(19cv1278)-2456.pdf
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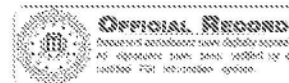
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FEDERAL BUREAU OF INVESTIGATION

Date of entry 04/25/2018

Richard William Gates III, previously identified, was interviewed by Supervisory Special Agent (SSA) [REDACTED] ASAC [REDACTED] Senior Special Counsel Attorney Andrew Weissmann and Senior Special Counsel Attorney Greg Andres. After being advised of the identities of the interviewing parties and the nature of the interview, Gates provided the following information:

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The first time Gates traveled to Russia was in late 2007 or early 2008. Gates traveled from the U.S. to Moscow and stayed there for approximately two days. At Paul Manafort's direction, Gates traveled to meet [REDACTED] and B-Invest employees in Moscow regarding the Pericles investment. This meeting was scheduled soon after Oleg Deripaska and Manafort decided to create and fund Pericles. [REDACTED] was responsible for organizing logistics related to Gates' meeting with B-Invest. However, [REDACTED] did not attend the meeting. Manafort purposefully excluded [REDACTED] from the meeting because [REDACTED] was not aware of the amount of money which was invested in the Pericles, and Manafort wanted a wall between his political work portfolio and his financial work portfolio.

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Gates met with the following B-Invest employees at their Moscow office: [REDACTED]

[REDACTED] The purpose of the meeting was to discuss the Pericles investment strategy. The following investment sectors were considered: (1) telecom; (2) real estate - focus on Odessa; (3) pharmaceuticals; (4) agriculture; and (5) media companies.

Approximately two to three month later, a second meeting was held in Moscow which Gates attended. Gates speculated that he traveled from Ukraine to Moscow for this meeting. The purpose of this meeting was to finalize their investment strategy, pick the top five investment targets and agree on funding for Pericles. The same people from B-Invest who attended the first meeting attended this meeting. Gates did not meet [REDACTED] during this trip.

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At approximately the end of 2008, Manafort directed Gates to attend a third meeting with B-Invest representatives in Moscow. At this meeting, Gates was advised by B-Invest that the Pericles was being put on hold and that no capital contributions were going to be made by Deripaska. Gates assumed Manafort had already heard this from Deripaska.

Ukraine

Investigation on 03/18/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 04/02/2018

by [REDACTED]

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Continuation of FD-302 of (U) Rick Gates

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When Manafort met with [REDACTED] it was usually at a hotel in Kiev, and usually nobody else attended these meetings.

After the November 2016 Election

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Gates sent talking points to [REDACTED] on how to respond to media inquiries regarding Manafort/Gates/DMP's work in Ukraine, [REDACTED]

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[REDACTED] had business interests in Malaysia and a preexisting relationship with the Malaysian Prime Minister.

Gates understood that [REDACTED] had business interests in Malaysia and that he had a relationship with the Malaysia Prime Minister which dated back to at least 2012 when Trump played golf with the Malaysian Prime Minister.

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In 2012, the Malaysian Prime Minister played golf with Donald Trump. In late January 2018 or February 2018, [REDACTED] had a conversation with Trump where Trump stated that maybe he would play golf with the Prime Minister in the summer of 2018.

Gates advised that [REDACTED] asked Gates to help him resolve the 1MDB issue between the Malaysian government and the U.S. government. [REDACTED] stated that he was going to be meeting with President Trump, on various topics including 1MDB, and asked for Gates' advice on the best way to deal with Trump. [REDACTED] was concerned that he might not have an opportunity to discuss the 1MDB issue with Trump because of the other topics he was going to be discussing with him.

After the election, [REDACTED] met with Trump and discussed the 1MDB issue with him. Trump told [REDACTED] that the issue would be resolved. Gates stated that Trump did not expound on what that meant. However, based on Gates' experience working with Trump he assessed that indicated that Trump was aware and understood the

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Continuation of FD-302 of (U) Rick Gates

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[redacted]

issue. The [redacted] Trump meeting lasted approximately 20 minutes and it was part of a larger meeting. Gates recalled that General Kelly attended the meeting and the first issue discussed at the meeting was whether Secretary of State Tillerson should be fired.

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Gates was shown an email between him and [redacted] dated 01/05/2018 which had talking points regarding 1MDB. Gates first learned about the 1MDB issue from [redacted] in September 2017. At the time, Gates was working with [redacted] on other business interests. Later, [redacted] told Gates that the Malaysian Prime Minister was coming to Washington, D.C. and that that the Prime Minister and [redacted] were supposed to meet with Trump. [redacted] asked Gates to help him resolve the 1MDB case because of Gates' history and knowledge of how to deal with Trump and he wanted Gates' advice on who else within the Trump administration they should talk to regarding the 1MDB case. [redacted] suggested meeting with the National Security Advisor, H.R. McMaster, but Gates did not think [redacted] could get a meeting with McMaster prior to [redacted] meeting with President Trump. [redacted] also suggested meeting with the Secretary of State, Rex Tillerson, but Gates advised that it would be a waste of time to talk to Tillerson because Trump did not include him in foreign delegation meetings.

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Gates was shown an email from [redacted] dated 07/08/2017, subject "Malaysia Talking Points *Final*". Gates stated he has never seen this email before. Regarding bullet point 4, Gates stated he was not aware of any attempt by [redacted] to communicate with Secretary Wilbur Ross. Gates stated that Ross had a strong relationship with Trump from their previous business relationship. Ross served and played a prominent role on the Campaign's Business Advisory Council. Gates was not aware that Ross was [redacted]. [redacted] Gates was not aware of any relationship between Ross and Manafort.

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Gates was shown an email dated 01/05/18 titled "PM: Rick Gates: Talking Points". Gates advised that [redacted] wanted to understand the Department of Justice (DOJ) interest in the 1MDB case now that there was a new administration. Gates first learned of the issue between 1MDB and the DOJ from [redacted] in September 2017. During this time period, Gates was working with [redacted] on other business interests and [redacted] told him that the Malaysian Prime Minister was in town to meet with Trump. [redacted] wanted Gates' advice on how they should deal with Trump and whether they should talk to anyone else in the administration, such as H.R. McMaster. Gates advised [redacted] that he did not think he would be able to meet with McMaster prior to the meeting with Trump. [redacted] asked if he should try to schedule a meeting with Rex Tillerson. Gates advised that it would be a waste of time because Tillerson was not involved in foreign delegation meetings. Gates stated he did not have any specific knowledge of DOJ's, or any other department or person in the Trump administration, position regarding 1MDB. Rather, this was Gates' assessment based on internet research he conducted on 1MDB. Gates never spoke to anyone in the administration or even attempted to reach out to anyone in the administration about 1MDB. [redacted] was the person Gates reached out to obtain information about DOJ.

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Continuation of FD-302 of (U) Rick Gates

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Regarding the "Talking Points" in the 01/05/18 email, Gates stated he drafted the talking points in consultation with [REDACTED]. Regarding bullet point number 1, Gates stated he was not actually working with anyone at DOJ or the NSC, and that the entirety of this bullet was false.

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[At 13:13, SSA [REDACTED] and Special Counsel Attorney Zainab Ahmad joined the interview. At this point, SSA [REDACTED] took notes of the interview and it will be documented in a separate 302. At 14:40, SSA [REDACTED] and Ahmad left the interview and SSA [REDACTED] resumed taking notes.]

Gates advised that contrary to the statement in bullet number 1, there was no real strategy in place to contact parties at the DOJ or the NSC to find a resolution. [REDACTED] told Gates that the National Security Division (NSD) of DOJ was responsible for handling this issue. Regarding the "NSC" statement in the email, [REDACTED] advised that McMaster attended the meeting between Trump and the Malaysian Prime Minister and they assumed that he would be the contact at the NSC.

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Regarding the statement in bullet point 2 "meeting with the assistant attorney general", this was a reference to Rachel Brand. Gates stated he never really had access to Brand and never contacted her.

Regarding bullet point 3, Gates stated that it was accurate that he had discussions with the president about 1MDB and the president stated he was committed to getting the issue resolved.

Regarding bullet point 4, Gates stated that [REDACTED] told him that the president told the Malaysian Prime Minister that he wanted to see him re-elected and wanted the 1MDB issue resolved. Gates advised that if the 1MDB issue was not resolved it could pose a problem for the Prime Minister's re-election. Gates stated that he understood that the Prime Minister reached out to [REDACTED] for assistance with the 1MDB issue. Gates did not know if [REDACTED] was being paid by the Prime Minister for his assistance with the 1MDB issue.

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Regarding the reference to [REDACTED] in bullet point 5, Gates stated that was a reference to [REDACTED] general counsel, [REDACTED] had a contact at [REDACTED] who potentially had access to [REDACTED] but the statement [REDACTED] was an overstatement.

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Gates advised that [REDACTED] was a big fundraiser for Trump and that is why he was able to schedule personal meetings with Trump. [REDACTED] was also close to [REDACTED] who helped [REDACTED] obtain access to Trump. [REDACTED] was [REDACTED] Vice Chairman on the Republican National Committee (RNC).

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In approximately February 2018, [REDACTED] told Gates that he was no longer pursuing the 1MDB issue with Trump or the "Talking Points" plan that he and Gates

FBI(19cv1278)-2459

[REDACTED]

Continuation of FD-302 of (U) Rick Gates, On 03/18/2018, Page 5 of 5

drafted. [REDACTED] stated that he never heard anything more from Trump on the 1MDB issue and gave up on pursuing it any further.

Gates did not know if [REDACTED] had any discussions with Attorney General Sessions regarding 1MDB.

Gates has an agreement with [REDACTED] whereby [REDACTED] pays Gates a monthly retainer for his services. Gates is providing [REDACTED] with advice on how "things work within the Trump administration." The advice Gates provided [REDACTED] related to 1MDB was part of the services he provided [REDACTED]

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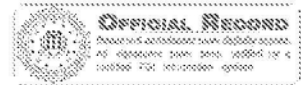
Gates stated he never had any conversations with [REDACTED] regarding FARA or its requirements.

Gates knew that [REDACTED] had previously plead guilty in a criminal case but he did not obtain or discuss any specifics with [REDACTED] about his criminal acts or how [REDACTED] did provide Gates with advice on how he would be able to recover professionally from pleading guilty in a criminal case.

[REDACTED]

FD-302 (Rev. 5-8-10)

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 04/23/2018

On 03/18/2018, Richard GATES was interviewed, which was documented in an FD-302, Serial 445 of captioned investigation. [REDACTED]

[REDACTED]

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Investigation on 04/17/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 04/17/2018

by [REDACTED]

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